

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: BPS DIRECT, LLC, AND	: MDL 3074
CABELA'S, LLC, WIRETAPPING	:
	:
	: E.D.Pa. ACTION NOS.:
	: 23-md-3074
	: 22-cv-4709
	: 23-cv-2282
	: 23-cv-2287
	: 23-cv-2293
	: 23-cv-2294
	: 23-cv-2295
	: 23-cv-2306
	: 23-cv-2338

ORDER

AND NOW, this 10th day of October 2023, upon considering the Multidistrict Litigation Panel's Transfer Order (ECF No. 54) addressing the pretrial management of *Irvin v. Cabela's LLC*, No. 23-530 (M.D. Pa.), mindful the transferor District has not yet effected transfer, but mindful the pending motions to dismiss in *Irvin* and in this MDL, Defendants' counsel in this MDL proceeding is also counsel in the *Irvin* transferred action, and for good cause, it is **ORDERED**:

1. All counsel shall be prepared during our first status telephonic conference on October 23, 2023 (including when preparing an agenda under our July 26, 2023 Order (ECF No. 52)) to address the manner in which we could coordinate the transferred *Irvin* action (assuming one or more claims survives the pending motions to dismiss in both *Irvin* and in this MDL) consistent with the parties' and counsels' obligations under our July 26, 2023 Order (ECF No. 52); and,
2. Defendants' counsel shall serve this Order upon all counsel in the *Irvin* action no later than **October 11, 2023** and file a certificate of service confirming compliance by no later than

October 12, 2023.



A handwritten signature in black ink, appearing to read "John Kearney". The signature is fluid and cursive, with a horizontal line drawn through it.

KEARNEY, J.